

**UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF MISSOURI
CENTRAL DIVISION**

ENCOMPASS INDEMNITY COMPANY,)	
)	
)	
Plaintiff,)	
)	
v.)	Cause No.: 2:24-cv-04046-BCW
)	
DIANA ROBNETT,)	JURY TRIAL DEMANDED
)	
and)	
)	
JEFFREY ROBNETT,)	
)	
Defendants.)	

**PLAINTIFF ENCOMPASS INDEMNITY COMPANY'S
APPLICATION FOR ENTRY OF DEFAULT BY CLERK AGAINST DIANA ROBNETT**

COMES NOW Plaintiff Encompass Indemnity Company, by and through its undersigned counsel, for its Application for Entry of Default by Clerk pursuant to Rule 55(a) of the Federal Rules of Civil Procedure, states as follows:

1. On March 28, 2024, Plaintiff filed a complaint for declaratory judgment seeking the interpretation of a homeowners insurance policy issued by Plaintiff to Defendant Diana Robnett, with respect to a lawsuit filed against Diana Robnett (Doc. 1).
2. Plaintiff served Defendant Diana Robnett with the summons and complaint in this action, and the summons was returned executed as to Defendant Diana Robnett on May 11, 2024. (Doc. 11).
3. To date, Defendant Diana Robnett has failed to appear, file an answer to the complaint, or otherwise defend, and more than twenty-one (21) days have elapsed since service of the Complaint. *See* Fed. R. Civ. P. 12(a).

4. Rule 55(a) of the Federal Rules of Civil Procedure provides, “When a party against whom a judgment for affirmative relief is sought has failed to plead or otherwise defend, and that failure is shown by affidavit or otherwise, the clerk must enter the party’s default.”

5. Plaintiff, therefore, respectfully requests that the Clerk of the Court enter default against Defendant Diana Robnett.

WHEREFORE, Plaintiff Encompass Indemnity Company requests that Clerk of the Court accept its Application for Entry of Default by Clerk and enter default against Defendant Diana Robnett pursuant to Federal Rule of Civil Procedure 55(a).

Respectfully submitted,
HEPLERBROOM LLC

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ATTORNEYS FOR **PLAINTIFF**

PROOF OF SERVICE

I hereby certify that on August 19, 2024 this document was electronically filed with the Clerk of the Court using the CM/ECF system.

/s/ Patrick A. Bousquet